

Atty. Dkt. No. 026196-0201

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant:** Donato, et al  
**Title:** METHOD OF ISOLATING  
EXTRACT FROM THE  
EUPHORBACIAE OBESA PLANT  
AND METHODS FOR USING  
THE SAME

**Appl. No.:** 10/020,816

**Filing Date:** 12/12/2001

**Examiner:** Christopher Tate

**Art Unit:** 1654

<b>CERTIFICATE OF FACSIMILE TRANSMISSION</b> I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Washington, D.C. on the date below.  <b>Michelle Symphon</b> <small>(Printed Name)</small>  <i>Michelle Symphon</i> <small>(Signature)</small>  <b>May 29, 2003</b> <small>(Date of Deposit)</small>
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**FAX RECEIVED**

**MAY 29 2003**

**PETITIONS OFFICE**

**PETITION FOR REVIVAL OF APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)**

Commissioner for Patents  
Mail Stop Petition  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The above-identified application became abandoned for inadvertent failure to timely file a Request to Rescind Previous Non-Publication Request within 45 days of filing this application in the PCT (PCT/US02/39850, filed December 12, 2002). The Request to Rescind Previous Non-Publication Request is enclosed herewith.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

**NOTE:** A grantable petition requires the following items:

1. Required reply and/or fee;
2. Petition fee (37 C.F.R. § 1.17(m));
3. Statement that the abandonment was unintentional; and
4. Any required terminal disclaimer (37 C.F.R. § 1.137(c)).

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Atty. Dkt. No. 026198-0201

1. Required reply and/or fee.

Request to Rescind Previous Non-Publication Request is enclosed herewith.

2. Petition fee (37 C.F.R. § 1.17(m))

Please charge Deposit Account No. 50-0872 in the amount of \$650.00, stated in 37 C.F.R. § 1.17(m) to cover the fee for this petition. A duplicate copy of this paper is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

3. Statement that the abandonment was unintentional.

Applicants hereby state that the entire delay in filing the required Request to Rescind Previous Non-Publication Request, until the filing of this petition, was unintentional.

4. Any required terminal disclaimer (37 C.F.R. § 1.137(c)).

No terminal disclaimer is required in this application under 37 C.F.R. § 1.137(c) since this application was not filed before June 8, 1995.

Respectfully submitted,

Date 28 MAY 2003  
FOLEY & LARDNER  
Customer Number: 30542



30542

PATENT TRADEMARK OFFICE

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By

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